UNITED STATES PATENT AND TRADEMARK OFFICE

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Robert A. Kalinsky		EXAMINER
Merchant & Gould P.C.		SALOMON, PHENUEL S
P.O. Box 2903		
Minneapolis, MN 55402-0903		

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 March 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,6 and 11-13* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6 and 11-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to the RCE filed on, July 08, 2008. Claims 1 and 11 are amended,

claims 4-5, 7-10 and 14-16 are cancelled and claims 1-3, 6, and 11-13 are pending

2.   The rejections of claims 1-3, and 6 under 35 U.S.C. 103 (a) as being anticipated by Donnelly (US

5,892,512) in view of Nakajima et al. (US 6,008,806) and in further view of Abdelnur (US 6,429,882 B1)

have been withdrawn as pursuant to the applicant's amendments.

3.   The rejections of claims 11-12 under 35 U.S.C. 103 (a) as being unpatentable over Donnelly (US

5,892,512) in view of Marcos et al (US 6,262,729 B1) have been withdrawn as pursuant to the applicant's

amendments.

4.   The rejections of claims 13 under 35 U.S.C. 103 (a) as being unpatentable over Donnelly (US

5,892,512) in view of Marcos et al (US 6,262,729 B1) and in further view of Nakajima et al. (US

6,008,806) have been withdrawn as pursuant to applicant's amendments.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill
> in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

6.   Claims 1-3, and 6 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Donnelly (US

5,892,512) in view of Nakajima et al. (US 6,008,806) in view of Abdelnur (US 6,429,882 B1) and in

further view of Marcos et al (US 6,262,729 B1).

Claim 1: Donnelly discloses a commanding system for a computer, comprising:

        a memory storing a binding table (fig. 3a, accelerator table 270) that connects input to associated

action, at least one binding entry in the binding table including a command binding (identifier)that

identifies an input sequence from an input device that is received to be acted upon (col. 3, lines 59-67 and

col. 4, lines 1-11), a command (action object) that identifies an intent of the input sequence (col. 3, lines

59-67 and col. 4, lines 1-11), a command handler (fig. 3a, item 200) that is a pointer to a portion of code

that is executed to implement the action that is to be performed based upon the input sequence (col. 9,

lines 62-67 and col. 10, lines 1-9), and interface binding, but Donnelly does not explicitly disclose

identifies a menu position on a menu.

        However, Nakajima discloses a menu function that identifies menu items to a specified

menu and location (col. 8, lines66-67 and col. 9, lines 1-3). Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to incorporate

the idea of identifying a menu position on a menu in Donnelly as evidenced by Nakajima. One

would have been motivated to do so in order to group similar menu items or items that used in

the same functional environment to a specific location on the menu bar, thus, easing up the task

of the user while using different applications.

        a processor in data communication with the memory, the processor programmed to:

        query each binding entry in the binding (lookup) table (col. 13, lines 3-19);

        receive the interface binding associated with the binding (col. 13, lines 3-19); and;

automatically build a menu based on the interface binding, wherein automatically building the

menu comprises the processor being programmed to, upon subsequent generation of the menu (col. 10,

lines 56-67 and col. 11, lines 1-7), [Donnelly's computer automatically executes the menu building action

since there's no user input or action],

But do not explicitly disclose:

include additional commanding information added to a control level without requiring changes to

be made to a plurality of different application wherein the commanding information is provided by

control elements that are common among the plurality of applications, and include at least a core set of

commands provided by the control elements.

However, Abdelnur discloses include additional commanding information added to a control level

without requiring changes to be made to a plurality of different application wherein the commanding

information (*when the action bar, menu bar, or tool bar are modified, the code does not need to be*

modified and recompiled. Instead, the properties file is merely changed and the new user interface

options are automatically bound using the procedure) (col. 13, lines 4-14, lines 19-22) and (*the look and*

feel of all applications that share the container may be changed without modifying the application code

itself (i.e., by replacing the container being utilized) (col. 15, lines 5-20). Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to incorporate the idea

of modifying the GUI without changes to be made to an application in Donnelly as evidenced by

Abdelnur. One would have been motivated to do so in order to modify a GUI without having to change

the underlying code and recompiling the computer code.

However, Marcos discloses components that are placed in a location and used by different applications

while sharing some basic commands (col. 7, lines 48-56).Therefore, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to incorporate the idea of using basic

set of commands among applications in <u>Donnelly</u> as evidenced by <u>Marcos</u>. One would have been

motivated to do so in order to simplify user interface by accessing commands that are common to

different applications in a centralized location.

Claim 2: <u>Donnelly</u>, <u>Nakajima</u>, <u>Abdelnur</u> and <u>Marcos</u> disclose a system as in claim 1 above, <u>Donnelly</u>

further discloses the interface binding identifies an image (visual views) to be used on a toolbar (col. 7,

lines 29-39).

Claim 3: <u>Donnelly</u>, <u>Nakajima</u>, <u>Abdelnur</u> and <u>Marcos</u> disclose a system as in claim 2 above, <u>Donnelly</u>

further discloses the processor is further programmed to build a toolbar based on the interface binding.

(col. 6, lines 13-23).

Claim 6: <u>Donnelly</u>, <u>Nakajima</u>, <u>Abdelnur</u> and <u>Marcos</u> disclose a system as in claim 1 above, <u>Donnelly</u>

further discloses the memory includes a plurality of commanding elements with associated binding tables,

and wherein the processor is programmed to traverse each binding entry in each of the binding tables of

the commanding elements to generate the command interface (col. 5, lines 34-43, 59-67 and col. 6, lines

3-12).

7.   Claims 11-12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over <u>Donnelly</u> (US

5,892,512) in view of <u>Marcos</u> et al (US 6,262,729 B1) and in further view of <u>Abdelnur</u> (US 6,429,882

B1).

Claim 11: <u>Donnelly</u> discloses a method for commanding a computer system, comprising:

receiving a request to dynamically create a commanding interface (col. 13, lines 3-19);

querying a binding table, the binding table including a plurality of binding entries, at least one binding entry of the plurality of bindings entries including a command binding (identifier), a command (action object), a handler (fig 3a, item 200), and an interface binding (col. 3, lines 59-67 and col. 4, lines 1-11);

querying a second binding table, the second binding table including a plurality of second binding entries, at least one second binding entry of the plurality of second binding entries including a second command binding, a second command, a second handler, and a second interface binding (col.13, lines 3-19) [Since Donnelly discloses more than one tables];

bubbling up through all tables of bindings associated with a given node to build the command interface (col. 13, lines 3-8) [traversing all the tables in order to build the command is inherent]; and

automatically building the commanding interface based on the interface binding provided for the binding entry (col. 13, lines 3-19) [a computer is considered to automatically build the commanding interface], but does not explicitly disclose wherein automatically building the commanding interface comprises, upon a subsequent generation of the commanding interface, including additional commanding information added without requiring changes to be made to a plurality of different applications, wherein the commanding information is provided by control elements that are common among the plurality of applications, and including at least a core set of commands provided by the control elements.

But does not explicitly disclose a single first binding table. However, Marcos discloses data can be retrieved from one or more tables in a database and used to dynamically generate web application (col. 4, lines 44-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate single first table in Donnelly. One would have been motivated to

do so in order to group all the commanding information in one place and thus allowing greater

consistency.

However, <u>Abdelnur</u> discloses include additional commanding information added to a control

level without requiring changes to be made to a plurality of different application wherein the commanding

information (*when the action bar, menu bar, or tool bar are modified, the code does not need to be*

modified and recompiled. Instead, the properties file is merely changed and the new user interface

options are automatically bound using the procedure) (col. 13, lines 4-14, lines 19-22) and (*the look and*

feel of all applications that share the container may be changed without modifying the application code

itself (i.e., by replacing the container being utilized) (col. 15, lines 5-20). Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to incorporate the idea

of modifying the GUI without changes to be made to an application in <u>Donnelly</u> as evidenced by

<u>Abdelnur</u>. One would have been motivated to do so in order to modify a GUI without having to change

the underlying code and recompiling the computer code.

However, <u>Marcos</u> discloses components that are placed in a location and used by different

applications while sharing some basic commands (col. 7, lines 48-56).Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to incorporate the idea

of using basic set of commands among applications in <u>Donnelly</u> as evidenced by <u>Marcos</u>. One would

have been motivated to do so in order to simplify user interface by accessing commands that are common

to different applications in a centralized location.

Claim 12: <u>Donnelly</u> <u>Marcos</u> and <u>Abdelnur</u> disclose the method as in claim 11 above, <u>Donnelly</u> further

discloses the step of building the commanding interface further comprises:

identifying an image button associated based on the interface binding (col. 7, lines 29-39); and

creating a toolbar using the image button (fig. 5b).

8.   Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Donnelly (US 5,892,512)

in view of Marcos et al (US 6,262,729 B1) view of Abdelnur (US 6,429,882 B1) and in further view of

Nakajima et al. (US 6,008,806).

Claim 13: Donnelly Marcos and Abdelnur disclose the method as in claim 11 below, but do not explicitly

discloses the step of building the commanding interface further comprises:

identifying a menu position based on the interface binding; and

positioning a menu item in the menu position. However, Nakajima discloses a menu function that

identifies menu items to a specified menu and location (col. 8, lines 66-67 and col. 9, lines 1-3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to incorporate menu position in Donnelly. One would have been motivated to do so in order to

group similar menu items or items that used in the same functional environment to a specific location on

the menu bar, thus, easing up the task of the user while using different applications.

Response to Arguments

9.   Applicant's arguments filed on 07/08/2007 have been fully considered but they are not

persuasive, but are moot in view of new ground(s) of rejection.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

     a. <u>Johnson</u> (US 6,246,405 B1) discloses method and apparatus for managing a plurality of objects on a graphical user interface.

     b. <u>Goodisman</u> (US 6,330,006 B1) discloses method and apparatus for synchronizing an application's interface and data.

     Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

     Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
9/22/2008

/Joshua D Campbell/
Primary Examiner, Art Unit 2178